

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

v.

Tyler Michie,

Defendant.

~~[PROPOSED]~~
ORDER

24 Cr. 43 (JHR)

WHEREAS, on January 19, 2024, the Honorable Katharine H. Parker, United States Magistrate Judge, set bail conditions for the release of defendant Tyler Michie (the “defendant”) pursuant to 18 U.S.C. § 3142, but ordered that the defendant remain in pretrial detention until all conditions for release had been satisfied;

WHEREAS, on March 12, 2024, the Court accepted a guilty plea from the defendant as to Count Three of the Indictment, which charges the defendant with use and possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i) (“Count Three”);

WHEREAS, Count Three is a crime of violence within the meaning of 18 U.S.C. § 3142(f)(1)(A) and is also an offense for which the maximum sentence is life imprisonment and is thus described in 18 U.S.C. § 3142(f)(1)(B);

WHEREAS, Count Three is an offense described in 18 U.S.C. § 3143(a)(2), which provides for the mandatory remand of any person who has been found guilty of an offense described in 18 U.S.C. § 3142(f)(1)(A), (B), or (C), unless “the judicial officer finds there is a substantial likelihood that a motion for acquittal or new trial will be granted” or “an attorney for the Government has recommended that no sentence of imprisonment be imposed on the person”;

WHEREAS THE COURT FINDS that there is no likelihood of an acquittal or a new trial and FURTHER FINDS, in light of the five-year mandatory consecutive sentence for Count Three, that there is no likelihood that the Government will recommend a non-incarceratory sentence; ~~and~~

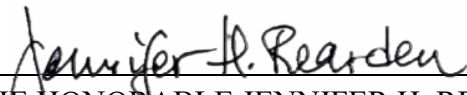
WHEREAS THE COURT FURTHER FINDS that the defendant's remand to the custody of the ~~Attorney General~~ **United States Marshal** is mandatory under 18 U.S.C. § 3143(a)(2); ~~and~~

WHEREAS THE COURT FURTHER FINDS "that clearly exceptional circumstances do not exist at this time to warrant Defendant's temporary release" pursuant to 18 U.S.C. § 3145(c). *United States v. Jones*, No. 19 CR. 125 (VSB), 2020 WL 1934997, at *7 (S.D.N.Y. Apr. 22, 2020).

IT IS HEREBY ORDERED that the defendant's bail is REVOKED and the defendant shall be REMANDED to the custody of the ~~Attorney General~~ **United States Marshal** for the pendency of this case.

SO ORDERED:

Dated: New York, New York
March 15, 2024



THE HONORABLE JENNIFER H. REARDEN
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK